



UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
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DEC 11 2001

Paper No. 7

In re Application of
Casey Norman *et al*
Application No. 09/844,322
Filed: April 26, 2001
Attorney Docket No. 1391-CON-00

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: DECISION ON PETITION
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This is a decision on the petition to make special filed on November 6, 2001 by which petitioners request that this application be accorded special status for advanced examination out of turn.

The petition is granted.

The basis for the petition is the existence of an actual infringement. A review of the petition shows that it satisfies all of the elements required by MPEP 708.02(II), which governs petitions based upon the existence of an actual infringement.

Accordingly, the examiner will treat this application as special throughout its prosecution. Prior to the first action on the merits, the examiner will conduct a rigorous search for potentially interfering applications. The interference search will be brought up to date prior to each successive action.

The application is being forwarded to the Supervisory Patent Examiner of Patent Examining Art Unit 3712, who will forward the application to the examiner for action consistent with this Decision.

PETITION GRANTED.

Stephen Marcus, Special Program Examiner
Patent Examining Groups 3710 and 3720

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